



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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வெளியீடு

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GOVERNMENT OF PUDUCHERRY

LAW DEPARTMENT

No. 50-4/2009/LLD.

Puducherry, the 21st May 2009.

NOTIFICATION

The following notification of the Department of Legal Affairs, Ministry of Law and Justice, Government of India, New Delhi, is hereby republished for general information.

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

New Delhi, the 24th February 2009.

NOTIFICATION

G.S.R. (E).— In exercise of the powers conferred by section 15 of the Notaries Act, 1952 (53 of 1952), the Central Government hereby makes the following rules further to amend the Notaries Rules, 1956, namely:-

- (1) These rules may be called the Notaries (Amendment) Rules, 2009.
- (2) They shall come into force on the 1st day of March, 2009.

2. In rule 4 of the Notaries Rules, 1956 (hereinafter referred to as the said rules), for sub-rule (1), the following sub-rule shall be substituted, namely :—

“(1) a person may make an application for appointment as a notary (hereinafter called “the applicant”), through the concerned District Judge or the Presiding Officer of the Court or Tribunal where he practises as an Advocate, in the Form of memorial addressed to such officer or authority (hereinafter referred to as the “competent authority”) of the appropriate Government as that Government may, by notification in the Official Gazette, designate in this behalf.”;

3. In rule 6 of the said rules, for sub-rule (1), the following sub-rule shall be substituted, namely :—

“(1) the competent authority shall examine every application received by him and if he is satisfied that the application is not complete in all respects or the applicant does not possess the qualifications specified in rule 3, or that any previous application of the applicant for appointment as a notary was rejected within six months before the date of the application, shall reject it summarily and inform the applicant accordingly.”;

4. In rule 7 of the said rules, for sub-rule (1), the following sub-rule shall be substituted, namely :—

“(1) the competent authority shall, after holding such inquiry as he thinks fit and after giving the applicant an opportunity of making his representations against the objections, if any, received within the time fixed under sub-rule (2) of rule 6, make a report to the appropriate Government recommending that the applicant may be allowed to appear before the Interview Board.”;

5. After rule 7 of the said rules, the following rules shall be inserted, namely :—

“7A. *Constitution of the Interview Board.*— (1) If the appropriate Government allows that the applicant may be asked to appear before the Interview Board, the competent authority shall inform the applicant to appear before the Interview Board, on the date, time and place fixed, to judge the competency of the applicant for being appointed as a Notary. The Interview Board shall submit its recommendations to the appropriate Government.

(2) For the said purpose, a three members Interview Board shall be constituted by the appropriate Government from amongst its officers dealing with legal matters. The Chairperson of the Interview Board shall not be an officer below the rank of Joint Secretary of that Government.

7B. *Transitional provision.*— (1) All the memorials received by the Competent Authority till 28th February, 2009 and which are pending shall be processed/examined in accordance with the provisions of the rules as amended by the Notaries (Amendment) Rules, 2009;

(2) The fresh memorials shall only be submitted on or after 1st July, 2009.”

6. In rule 8 of the said rules, in sub-rule (1), for the words, “On receipt of the report of the Competent Authority the appropriate Government shall consider the report and shall -”, the words, “On receipt of the recommendations of the Interview Board the appropriate Government shall consider the recommendation and shall —.”

R. RAGUPATHI,

Joint Secretary.

[F. No. 5(271)/2000-NC]

Note:— The principal Rules were published in the Gazette of India, Part II, Section 3, Sub-section (1) *vide* number SRO 324, dated the 14th February, 1956 and subsequently amended by GSR 370(E), dated the 8th July, 1997, GSR 547(E), dated the 31st August, 1998, GSR 17(E), dated the 5th January, 2000, GSR 262(E), dated the 28th March, 2000, GSR 630(E), dated the 21st July, 2000, GSR 172(E), dated the 12th March, 2001, GSR 330(E), dated the 9th May, 2001, GSR 460(E), dated the 25th June, 2001, GSR 464(E), dated the 9th June, 2003, GSR 464(E), dated the 9th June, 2003, GSR 296(E), dated the 19th May, 2006, GSR 501(E), dated the 24th August, 2006, GSR 73(E), dated the 9th February, 2007, GSR 86(E), dated the 14th February, 2007, GSR 319(E), dated the 1st May, 2007 read with GSR 330(E), dated the 8th May, 2007, GSR 686(E), dated the 31st October, 2007, GSR 51(E), dated the 23rd January, 2008, GSR 636(E), dated the 3rd September, 2008, and GSR 764(E), dated the 3rd November, 2008.

JOHN CLAUDE POMPEI MARIADASSOU,
Law Secretary to Government.
